

JURY VERDICT FORM ROSS HENIKMAN

I. FALSE ARREST CLAIM AGAINST ROSS HENIKMAN

Prior to trial, Carolyn Mitchell proved as a matter of law the following facts:

1. Ross Henikman arrested Carolyn Mitchell without a warrant.
2. Ross Henikman's conduct was a substantial factor in causing harm to Carolyn Mitchell.

Based on the above legal findings, We answer the questions submitted to us as follows:

1. What are Carolyn Mitchell's damages?

- a. Past economic loss, including lost profits/medical expenses: \$ \_\_\_\_\_
- b. Future economic loss, including lost profits/medical expenses: \$ \_\_\_\_\_
- c. Past noneconomic loss, including physical pain/mental suffering: \$ \_\_\_\_\_
- d. Future noneconomic loss, including physical pain/mental suffering: \$ \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_

If you have not awarded Carolyn Mitchell money in response to question 1, your foreperson should date and sign this verdict. If you have awarded Carolyn Mitchell money in response to question 1, then answer question 2.

2. Should punitive damages be awarded in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 2 is no, do not answer any further questions. Your foreperson should date and sign this verdict.

However, if your answer to question 2 is yes, then answer question 3.

3. What amount of money should be awarded as punitive damages in this case?

Answer: \$ \_\_\_\_\_

Signed: \_\_\_\_\_

Presiding Juror: \_\_\_\_\_

Dated: \_\_\_\_\_

II. INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS:  
CLAIM AGAINST ROSS HENIKMAN

We answer the questions submitted to us as follows:

1. Was Ross Henikman's conduct outrageous?

Yes        No       

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

2. Did Ross Henikman intend to cause Carolyn Mitchell emotional distress?

or

Did Ross Henikman act with reckless disregard of the probability that Carolyn Mitchell would suffer emotional distress?

Yes        No       

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

3. Did Carolyn Mitchell suffer severe emotional distress?

Yes        No       

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

4. Was Ross Henikman's conduct a substantial factor in causing Carolyn Mitchell's severe emotional distress?

Yes        No       

If your answer to question 4 is yes, then answer question 5. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

5. What are Carolyn Mitchell's damages?

- a. Past economic loss, including lost profits/medical expenses: \$
- b. Future economic loss, including lost profits/medical expenses: \$
- c. Past noneconomic loss, including physical pain/mental suffering: \$
- d. Future noneconomic loss, including physical pain/mental suffering: \$

TOTAL: \$

If you have not awarded Carolyn Mitchell money in response to question 5, your foreperson should date and sign this verdict. If you have awarded Carolyn Mitchell money in response to question 5, then answer question 6.

6. Should punitive damages be awarded in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 6 is no, do not answer any further questions. Your foreperson should date and sign this verdict.

However, if your answer to question 6 is yes, then answer question 7.

7. What amount of money should be awarded as punitive damages in this case?

Answer:  $\$$

Your foreperson should date and sign the verdict.

Signed: \_\_\_\_\_  
Presiding Juror: \_\_\_\_\_  
Dated: \_\_\_\_\_

III. DEFAMATION: CLAIM AGAINST ROSS HENIKMAN

We answer the questions submitted to us as follows:

1. Is it more likely true than not true that the defendant communicated a statement, either orally, in writing, or by observable conduct, to a person other than the plaintiff?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

2. It is more likely true than not true that the statement, or observable conduct, was reasonably understood by this person to be about the plaintiff?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

3. Is it more likely true than not true that the message presented by the statement, or the observable conduct, was false?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

4. Is it more likely true than not true that Ross Henikman knew, or reasonably should have known, that the message presented by the statement, or observable conduct, was false?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 4 is yes, then answer question 5. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

5. What amount of money will fairly compensate the Carolyn Mitchell for all harm to her which was more likely than not legally caused by the Ross Henikman's statement, or observable conduct:

\$ \_\_\_\_\_

If you have not awarded Carolyn Mitchell money in response to question 5, your foreperson should date and sign this verdict. If you have awarded Carolyn Mitchell money in response to question 5, then answer question 6.

6. Should punitive damages be awarded in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 6 is no, do not answer any further questions. Your foreperson should date and sign this verdict.

However, if your answer to question 6 is yes, then answer question 7.

7. What amount of money should be awarded as punitive damages in this case?

Answer: \$

Your foreperson should date and sign the verdict.

Signed: \_\_\_\_\_  
Presiding Juror: \_\_\_\_\_  
Dated: \_\_\_\_\_

IV. FEDERAL CIVIL RIGHTS CLAIM (42 U.S.C. § 1983):  
CLAIM AGAINST ROSS HENIKMAN (UNREASONABLE SEARCH)

We answer the questions submitted to us as follows:

1. Did Ross Henikman search Carolyn Mitchell's person and/or purse without a warrant?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

2. Was Ross Henikman acting or purporting to act in the performance of his official duties?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

3. Was Ross Henikman's search a substantial factor in causing harm to Carolyn Mitchell?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

4. What are Carolyn Mitchell's damages?

- a. Past economic loss, including lost profits/medical expenses: \$ \_\_\_\_\_
- b. Future economic loss, including lost profits/medical expenses: \$ \_\_\_\_\_
- c. Past noneconomic loss, including physical pain/mental suffering: \$ \_\_\_\_\_
- d. Future noneconomic loss, including physical pain/mental suffering: \$ \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_

After answering question 4, answer question 5.

5. Should punitive damages be awarded in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 5 is no, do not answer any further questions. Your foreperson should date and sign this verdict.

However, if your answer to question 5 is yes, then answer question 6.

6. What amount of money should be awarded as punitive damages in this case?

Answer: \$ \_\_\_\_\_

Signed: \_\_\_\_\_

Presiding Juror: \_\_\_\_\_

Dated: \_\_\_\_\_

V. FEDERAL CIVIL RIGHTS CLAIM (42 U.S.C. § 1983):  
CLAIM AGAINST ROSS HENIKMAN (UNREASONABLE SEIZURE)

We answer the questions submitted to us as follows:

1. Did Ross Henikman seize Carolyn Mitchell's without a warrant?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 1 is yes, then answer question 2. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

2. Did Ross Henikman seize Carolyn Mitchell's without a probable cause?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 2 is yes, then answer question 3. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

3. Was Ross Henikman acting or purporting to act in the performance of his official duties?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 3 is yes, then answer question 4. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

4. Was Ross Henikman's search a substantial factor in causing harm to Carolyn Mitchell?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question 4 is yes, then answer question 5. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.

5. What are Carolyn Mitchell's damages?

- a. Past economic loss, including lost profits/medical expenses: \$ \_\_\_\_\_
- b. Future economic loss, including lost profits/medical expenses: \$ \_\_\_\_\_
- c. Past noneconomic loss, including physical pain/mental suffering: \$ \_\_\_\_\_
- d. Future noneconomic loss, including physical pain/mental suffering: \$ \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_

After answering question 5, answer question 6.

6. Should punitive damages be awarded in this case?

Yes        No       

If your answer to question 6 is no, do not answer any further questions. Your foreperson should date and sign this verdict.

However, if your answer to question 6 is yes, then answer question 7.

7 What amount of money should be awarded as punitive damages in this case?

Answer: \$ \_\_\_\_\_

Signed: \_\_\_\_\_

Presiding Juror: \_\_\_\_\_

Dated: \_\_\_\_\_